

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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HAASHIM ANDREWS,

Plaintiff,

-against-

THE CITY OF NEW YORK, POLICE OFFICER  
JONATHAN MARTINEZ, tax # 953059, SERGEANT  
TAEJIN LIM, tax # 928647, LIEUTENANT JAMES  
GEBBIA, tax # 934915, SERGEANT JOSEPH EDMUND,  
shield # 1004, POLICE OFFICER JAMES MCSHERRY,  
shield # 27896, POLICE OFFICER JOSEPH  
SFERRAZZA, shield # 19468, POLICE OFFICER  
KRISTIN COSCIA, shield # 29268, POLICE OFFICER  
CARLOS PONCE, shield # 19531, POLICE OFFICER  
RAYMOND HERNANDEZ, shield # 1074, POLICE  
OFFICER JOEL RODRIGUEZ, shield # 16835, POLICE  
OFFICER ALAN YE, shield # 1313,

14 CV 4845 (JBW) (JO)

Defendants.

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**DECLARATION OF RICHARD  
CARDINALE IN SUPPORT OF HIS  
MOTION FOR AN AWARD OF  
ATTORNEY'S FEES**

I, RICHARD J. CARDINALE, declare under penalty of perjury pursuant  
to 28 U.S.C. §1746 that the following is true and correct:

1. I submit this declaration in support of my motion for an award of attorney's fees and costs in the amount of \$18,085.62.
2. The purpose of this declaration is to demonstrate that I have the qualifications and experience to be awarded an hourly rate of \$425 and to place my contemporaneous time records before the Court.

3. In 1991, I graduated *cum laude* from Suffolk University Law School, located in Boston, Massachusetts.

4. I made the Dean's List in each of my three years in law school.

5. I was admitted to the New York State Bar in 1992, to the United States District Courts for the Southern and Eastern Districts of New York in 1995, to the United States Court of Appeals for the Second Circuit in 1996 and to the Florida Bar in 1998.

6. From 1991 to 1994, I was employed as a public defender for the Legal Aid Society of New York -- Criminal Defense Division. I tried several misdemeanor and felony cases to verdict while employed by Legal Aid.

7. In 1994, I was employed for approximately one year by a small law firm in Manhattan that represents plaintiffs in civil matters.

8. In 1995, I became an Assistant Attorney General for the State of New York. As an Assistant Attorney General, I was responsible for the defense of civil rights and employment discrimination actions, including class actions, brought in federal court.

9. From 1998 to 1999, I was a supervising attorney in the Office of the New York Attorney General. As a supervisor, I maintained a caseload and supervised other attorneys in a division that defended state police officers and correction officers in federal civil rights actions.

10. During my employment with the Attorney General's Office, I tried approximately twenty federal civil cases to verdict, briefed and argued appeals before the

Second Circuit and the Appellate Division, First Department, and defended two significant class actions.

11. In 1999, I became an Assistant Corporation Counsel for the City of New York. As an Assistant Corporation Counsel, I was responsible for the defense of police misconduct and employment discrimination lawsuits in federal court. While employed by the City, I tried four federal civil cases to verdict.

12. In 2001, I started my own practice concentrating in civil rights litigation, employment law, criminal law and appeals.

13. During the course of my career, I have tried approximately thirty federal civil cases to verdict, brought and defended class actions, briefed and argued several federal and state appeals, and tried several state criminal cases to verdict.

14. The Electronic Case File (“ECF”) system shows that I have been counsel in 383 civil rights and employment cases in the Eastern District of New York and counsel in 241 civil rights and employment cases in the Southern District.

15. A Westlaw search of my name shows that my motion and appellate practice in federal court has resulted in the issuance of 75 published decisions.

16. Annexed as an exhibit are my contemporaneous time records which accurately set forth my legal services in this case.

17. In this case, I billed \$425 per hour for legal work. In accordance with case law, I reduced my hourly rates by 50% for time spent travelling. *See Luciano v. Olsten Corp.*, 925 F. Supp. 956, 965 (E.D.N.Y. 1996), *aff’d*, 109 F.3d 111 (2d Cir. 1997); *Tlacoapa v. Carregal*, 386 F. Supp. 2d 362, 373 (S.D.N.Y. 2005).

18. I advanced all litigation expenses. My costs are the \$400 civil case filing fee, a \$280 fee for service of process of the summons and amended complaint, and \$16 in photocopying the summons and amended complaint for service on the 11 police officer defendants.

19. I request an award of attorney's fees and costs in the amount of \$18,085.62.

Dated: April 14, 2015

/s/

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RICHARD CARDINALE  
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